IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

And

THE HON'BLE MR JUSTICE K.C. BHANU

W.P. No.9651 of 2000

Between:

1. M/s. Chamundeshwari Builders, a Partnership firm,
Rep. by its Managing Partners-P.Krishna and
Sri P.Gopinath, 7-1-64/1, Chamundeshwari Towers,
D.K.Road, Ameerpet, Hyderabad-500 016.

2. Sri P.Krishna, S/o. P.A. Sailu,
Plot. 62, Text Book Colony, Karkhana,
Secunderabad.

3. Sri P.Gopinath, S/o. Papaiah,
aged 34 years, Occ; Business,

13-4-694, Karwan Sahoo, Hyderabad.

.... PETITIONERS

AND

1 Union of India, Rep. by its Secretary.
Ministry of Food and Consumer Affairs, New Delhi.

2 Smt. Jayanthi W/o. Sri R. Kuppuswamy,

aged about 37 years, Occ: Employee in Indian Bank
Plot. 201, Chamundeswari Towers, 7-1-64/1,
Dharam Karan Road, Ameerpet, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction, more in the nature of Writ of Mandamus, declaring Section 27 of the Consumer Protection Act, 1986, as arbitrary, unreasonable and violative of Articles 14 and 19 (1) (g) of the Constitution of India, and consequently declare the proceedings in P.P.No.57/99 in C.D.No.1283/96 on the file of the District Forum, Hyderabad-II, as void, *ab initio* null and void and nonest in the eye of law.

Counsel for the Petitioners: MR.E.V.S.S.ACHARYULU

Counsel for the Respondent No.1: MR.A. RAJASHEKAR REDDY (SC FOR CG)

Counsel for the Respondent No.2: S. SRINIVAS REDDY

The Court made the following:

ORDER: (Per Hon'ble Sri Justice B. Sudershan Reddy)

The subject matter that arises for consideration in this Writ Petition is squarely covered by the decision rendered by a Full Bench of this Court in ***C.V. Ratnam v. Union of India & Others***.

Following the decision of the Full Bench, this writ petition is required to be dismissed and the same shall accordingly stand dismissed without any order as to costs.

However, the petitioner shall have the advantage of the observations made in the judgment and the remedy to prefer appeal against the decision of the District Forum is left open.

B. SUDERSHAN REDDY, J

Date:01-11-2004.

K.C. BHANU, J

PV

To

1) The Secretary, Union of India,
Ministry of Food & Consumer Affairs, New Delhi.

2) Two C.D. copies.